

REMARKS

Applicants wish to thank Examiner Ismael Negron for interviewing with Applicants' representative on June 10, 2008. Applicants believe that as a result, an agreement has been reached with respect to patentability of claim 32.

A. Status of the Claims

By the present amendment, claims 32 and 33 have been amended to more particularly define the Applicants' invention and to claim it with greater specificity. Claims 1-31 and 39 were canceled previously without prejudice. No new matter have been added. The support to the claims amendments can be found throughout the original application, as filed. See, e.g., FIG. 5 and the description on page 14.

Claims 32-38 are currently pending.

B. Rejections Under 35 U.S.C. §102 (b)

Claims 32-38 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 4,729,076 to Masami et al. ("Masami") (item 5 on page 3 of the Office Action). The Examiner alleged that all the limitations of these claims are disclosed by Masami. This rejection is respectfully traversed.

The standard that has to be satisfied to set forth a valid rejection of a claim for anticipation by a reference was discussed previously. It is submitted that Masami fails to describe all the elements and limitations recited in the instant claim 32, as amended.

Without conceding to the correctness of the rejection, but solely in order to expedite and facilitate prosecution of the instant application, the Applicants have amended the instant claim 32 to further define the scope of protection being sought. In particular, claim 32 has been amended to recite that "all of the LEDs of the optical irradiation device are at an end of the heat pipe."

The Applicants respectfully point out that nothing in Masami expressly or implicitly teaches nor even fairly suggests an optical irradiation device having all such elements, and in particularly, a device where “all of the plurality of LEDs are at an end of the heat pipe” as recited in the instant claim 32, as amended. The Applicants respectfully assert that nothing in Masami discloses that “all of the LEDs of the optical irradiation device are at an end of the heat pipe.”

Indeed, Masami teaches for example as illustrated in Figure 5 Drawing (E) (1) that the heat absorber is positioned in a central location relative to the LEDs arrayed in a plane. In this configuration is clearly illustrated that “all of the LEDs of the optical irradiation device” will not be positioned at the end of the heat pipe as is expressly defined in claim 32, submitted herewith. In fact, with reference to Figure 5 Drawing (E)(2) and (3), and Drawing (F), Masami clearly illustrates that the LEDs are positioned along the length namely on the side of the heat absorber. It is therefore clear that Masami expressly teaches away from the feature that “all of the LEDs of the optical irradiation device” are positioned at the end of the heat pipe, as is expressly defined in independent claim 32, submitted herewith.

Accordingly, the Applicants respectfully submit claim 32 submitted herewith is novel in view of, and patentable over, Masami. Each of claims 33-38 directly or indirectly depends on claim 32, and each is, therefore, patentably allowable for at least the same reason. Reconsideration and withdrawal of the rejection of claims 32-38 under 35 U.S.C. §102 are, thus, respectfully requested.

C. Claim Objection

The Examiner objected to claim 33 alleging that this claim is indefinite. The Examiner alleged that the limitation “the one or more heat pipe” has insufficient antecedent basis.

Without conceding to the correctness of the Examiner’s objection, but solely in order to expedite prosecution of the instant application, the Applicant has amended claim 33 as shown. The Applicants gratefully acknowledge the suggestion made by the Examiner as to a way of

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elimination this informality. Reconsideration and withdrawal of the objection are, thus,
respectfully requested.

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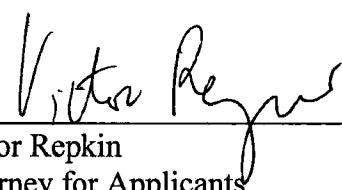
CONCLUSION

In view of the above amendments and remarks, reconsideration and favorable action on all claims are respectfully requested. In the event any matters remain to be resolved, the Examiner is requested to contact the undersigned at the telephone number given below so that a prompt disposition of this application can be achieved.

The Commissioner is hereby authorized to charge \$460.00 as payment for the Two-Month Extension of Time fee to Deposit Account No. 07-1896. Additionally, the Commissioner is hereby authorized to charge any fees that may be required by this paper, or credit any overpayment to Deposit Account 07-1896 referencing the above-identified attorney docket number.

Respectfully submitted,

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